

Notice and Agenda for Public Meeting of the Board of Respiratory Care Examiners

Regularly Scheduled Meeting of February 17, 2022

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Board of Respiratory Care Examiners and to the public that the Board of Respiratory Care Examiners will hold a meeting open to the public on Thursday, **February 17, 2022 at 9:00AM at 1740 West Adams Street, Conference Room B in Phoenix, AZ 85007**. The Board may vote to go into Executive Session for any matter on the agenda to obtain legal advice from counsel pursuant to A.R.S. § 38-431.03(A)(3). In addition, the Board may vote to go into Executive Session to consider or review records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law pursuant to A.R.S. § 38-431.03 (A)(2) and may be convened on item numbers II (A thru C), and III (A thru I). Executive Sessions will not be open to the public.

The Board may address the agenda items in any order within the timeframe indicated, and may carry over matters to a later time when necessary. The Board reserves the right to change the order of items on the agenda, except for matters set for a specific time.

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Executive Director, Dr. Charles Villafranca, at (602) 542-5995. Requests should be made as early as possible to allow time to arrange the accommodation. This document can be made available in alternative formats.

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Notice and Agenda for Public Meeting of the Board of Respiratory Care Examiners

February 17, 2022 Regular Board Meeting
9:00AM
1740 W. Adams Street, Conference Room B, Phoenix, AZ 85007

I. CALL TO ORDER

The Meeting was called to order at 9:05AM by Tracy Cagan, Board Chairman.
Break in Meeting from 11:15AM – 11:23AM

II. ROLL CALL:

Tracy Cagan
Dr. Leslie Easley
Alan Crawford
Kathy Rineer

III. DECLARATION OF CONFLICT OF INTERESTS:

IV. ESTABLISH DATE AND TIME OF NEXT BOARD MEETING:

A. NEXT SCHEDULED BOARD MEETING IS MARCH 17, 2022

B. APPROVAL OF MINUTES

1. Regular Meeting Minutes June 24, 2021
2. Special Virtual/Teleconference Meeting Minutes August 26, 2021
3. Special Virtual/Teleconference Meeting Minutes September 30, 2021
4. Regular Meeting Minutes November 30, 2021
5. Special Executive Director Hiring Subcommittee Minutes, December 3, 2021
6. Special Board Meeting Minutes, December 10, 2021
7. Regular Board Meeting Minutes December 16, 2021

Motion: Board Member Crawford to approve meeting minutes

Seconded by Board Member Dr. Easley.

Roll Call Vote: Motion passed (4-0)

V. REGULAR AGENDA

A. REVIEW, CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON FORMAL ADMINISTRATIVE HEARING PURSUANT TO A.R.S. § 32-3553(H) OR ALTERNATIVELY, CONSIDERATION AND POSSIBLE ACTION ON PROPOSED CONSENT AGREEMENTS IN LIEU OF ADMINISTRATIVE HEARINGS:

1. Richards-White, Shirley Case# 2019-RCE-0134
Board Chairman Cagan announced the case and commenced the interview at 9:21 AM. RCP Richards-White was/was not present. Executive Director Confer presented a summary of the case. Assistant Attorney, Justin Turner represented the State of Arizona in this proceeding. Past Executive Director Confer was called as a witness and testified in this matter. Assistant Attorney General Monique Coady appeared as the Independent Advisor to the Board.

MOTION: Board Member Crawford to Dismiss without prejudice. If RCP Richards-White reapplies the case will be reopened and the Allegations would then be reconsidered by the Board. Seconded by Dr. Easley.

MOTION: Board Member Crawford to deem the Parties, Jurisdictional Statements and Factual Allegations contained in the Complaint and Notice of Hearing as the Findings of Fact. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

MOTION: Board Member Crawford to adopt the Alleged Violations as Conclusions of Law. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

MOTION: Board Member Crawford to Dismiss without prejudice. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

2. Kaze, Shannon Case# 2021-RCE-0193
Board Chairman Cagan announced the case and commenced the interview at 9:51 AM. RCP Kaze was/was not present. Executive Director Confer presented a summary of the case. Assistant Attorney, Justin Turner represented the State of Arizona in this proceeding. Jack Confer was called as a witness and testified in this matter. Assistant Attorney General Monique Coady appeared as the Independent Advisor to the Board.

MOTION: Board Member Crawford to deem the Parties, Jurisdictional Statements and Factual Allegations contained in the Complaint and Notice of Hearing as the Findings of Fact. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

MOTION: Board Member Crawford to adopt the Alleged Violations as

Conclusions of Law. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

MOTION: Board Member Crawford to Accept the signed voluntary surrender of license for the license held by Shannon Kaze. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

3. Ellis, Delisa Case# 2020-RCE-0082 & 2021-RCE-0008
Board Chairman Cagan announced the case and commenced the interview at 10:03 AM. RCP Ellis was/was not present. Interim Executive Director Confer presented a summary of the case. Assistant Attorney, Justin Turner represented the State of Arizona in this proceeding. Jack Confer was called as a witness and testified in this matter. Assistant Attorney General Monique Coady appeared as the Independent Advisor to the Board.

MOTION: Board Member Crawford to deem the Parties, Jurisdictional Statements and Factual Allegations contained in the Complaint and Notice of Hearing as the Findings of Fact. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

MOTION: Board Member Crawford to adopt the Alleged Violations as Conclusions of Law. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

MOTION: Board Member Crawford to Revoke the license held by Delisa Ellis. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

B. POSSIBLE REVIEW, DISCUSSION AND POSSIBLE ACTION ON INFORMAL INTERVIEWS:

1. Cross, Kindra Case# 2021-RCE-0046
Board Chairman Cagan announced the case. RCP Cross was/was not present. Past Executive Director Confer reviewed the allegations for the Board Members

MOTION: Board Member Crawford to RCP Cross is to complete 20 Continuing Education Units & sign a Decree of Censure Violation of Prior Order & Failure to complete Continuing Education Units. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

C. DISCUSSION/ACTION ON APPLICATION INTERVIEW FOR LICENSURE

1. Weitz, Christopher Case# 2021-RCE-0202
Board Chairman Cagan announced the case. RCP Weitz was/was not present. Jack Confer reviewed the allegations for the Board Members

MOTION: Board Member Crawford to withdraw his application & send letter that is to be signed by C. Weitz for withdrawal of application. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

D. CONSENT AGENDA

Consent agenda items may be considered for approval as a single action unless a Board member or interested party wishes to remove an item for discussion.

~~1. **CASES RECOMMENDED FOR NON-DISCIPLINARY LETTER OF CONCERN AND DISMISSAL. The Board will review, discuss, and may vote to take action on the following cases:**~~

A.	Baker, Lawrence	Case# 2021-RCE-0221
B.	Bautista, Julio	Case# 2021-RCE-0162
C.	Bonora, Steve	Case# 2021-RCE-0156
D.	Brodeur, Skye	Case# 2021-RCE-0247
E.	Brown, Shera	Case# 2021-RCE-0251
F.	Cross, Kindra	Case# 2021-RCE-0046
G.	Duvall, David	Case# 2021-RCE-0214
H.	Eichberger, Kathy	Case# 2021-RCE-0182
I.	Fuentes, Jennifer	Case# 2021-RCE-0204
J.	Garner, William	Case# 2021-RCE-0159
K.	Herrera, Nancy	Case# 2021-RCE-0233
L.	Hord, Alvis	Case# 2021-RCE-0168
M.	Huckey, Brian	Case# 2021-RCE-0246
N.	Jones, Richard	Case# 2021-RCE-0172
O.	Kirker, April	Case# 2021-RCE-0205
P.	Krot, Megan	Case# 2021-RCE-0180
Q.	Kuls, Jeffrey	Case# 2021-RCE-0206
R.	Lakey, Jessica	Case# 2021-RCE-0236
S.	Lambert, Joe	Case# 2021-RCE-0240
T.	Nesbitt, Prudencia	Case# 2021-RCE-0169
U.	Nissen, Benjamin	Case# 2021-RCE-0252
V.	Oullette, Kimberly	Case# 2021-RCE-0232
W.	Page, Dennis	Case# 2021-RCE-0219
X.	Pawlowic, Rhonda	Case# 2021-RCE-0065
Y.	Pelayo, Edgar	Case# 2021-RCE-0120

Z.	Perez, Stephanie	Case# 2021-RCE-0127
AA.	Perry, Steven	Case# 2021-RCE-0231
BB.	Petersen, Stacey	Case# 2021-RCE-0114
CC.	Phan, Jonathan	Case# 2021-RCE-0083
DD.	Rich, Susan	Case# 2021-RCE-0079
EE.	Richmond, Kimberly	Case# 2021-RCE-0060
FF.	Rivera, Mario	Case# 2021-RCE-0107
GG.	Rivera, Rebecca	Case# 2021-RCE-0041
HH.	Robello, Stella	Case# 2021-RCE-0067
I.	Robinson, Jennifer	Case# 2021-RCE-0121
JJ.	Robles, Kari	Case# 2021-RCE-0042
KK.	Roeder, Vicki	Case# 2020-RCE-0116
LL.	Romo, Diana	Case# 2021-RCE-0125
MM.	Rozelle, Dilorom	Case# 2021-RCE-0015
NN.	Saczalski, Curtis	Case# 2021-RCE-0085
OO.	Sainjusmat, Diarline	Case# 2021-RCE-0242
PP.	Sayegh, Odeh	Case# 2021-RCE-0213
QQ.	Sandole, Jacqueline	Case# 2021-RCE-0023
RR.	Sedillos, Cynthia	Case# 2021-RCE-0170
SS.	Shea, Haydn	Case# 2021-RCE-0118
TT.	Sink, Jessica	Case# 2021-RCE-0164
UU.	Skaggs, Rick	Case# 2021-RCE-0039
VV.	Smith, Kelly	Case# 2021-RCE-0034
WW.	Soucy, Mark	Case# 2021-RCE-0122
XX.	Suding, Doreen	Case# 2021-RCE-0109
YY.	Tulao, Jose	Case# 2021-RCE-0048
ZZ.	Valdez, Miguel	Case# 2021-RCE-0210
AAA.	Varela, Joe	Case# 2021-RCE-0166
BBB.	Verdine, Gregory	Case# 2021-RCE-0101
CCC.	Watzek, Eleta	Case# 2021-RCE-0233
DDD.	Werley, Grace	Case# 2021-RCE-0068
EEE.	Wilkerson, Jaelyn	Case# 2021-RCE-0073
FFF.	Woodward, Edward	Case# 2021-RCE-0116
GGG.	Yoder, Kimberly	Case# 2020-RCE-0124
HHH.	Zabala, Joshua	Case# 2020-RCE-0125

2. CASES RECOMMENDED FOR ISSUING NON-DISCIPLINARY ORDER FOR CONTINUING EDUCATION. The Board will review, discuss, and may vote to take action on the following cases:

A.	Baker, Lawrence	Case# 2021-RCE-0221
B.	Bautista, Julio	Case# 2021-RCE-0162
C.	Bonora, Steve	Case# 2021-RCE-0156
D.	Brodeur, Skye	Case# 2021-RCE-0247
E.	Brown, Shera	Case# 2021-RCE-0251
F.	Cross, Kindra	Case# 2021-RCE-0046

G.	Duvall, David	Case# 2021-RCE-0214
H.	Eichberger, Kathy	Case# 2021-RCE-0182
I.	Fuentes, Jennifer	Case# 2021-RCE-0204
J.	Garner, William	Case# 2021-RCE-0159
K.	Herrera, Nancy	Case# 2021-RCE-0233
L.	Hord, Alvis	Case# 2021-RCE-0168
M.	Huckey, Brian	Case# 2021-RCE-0246
N.	Jones, Richard	Case# 2021-RCE-0172
O.	Kirker, April	Case# 2021-RCE-0205
P.	Krot, Megan	Case# 2021-RCE-0180
Q.	Kuls, Jeffrey	Case# 2021-RCE-0206
R.	Lakey, Jessica	Case# 2021-RCE-0236
S.	Lambert, Joe	Case# 2021-RCE-0240
T.	Nesbitt, Prudencia	Case# 2021-RCE-0169
U.	Nissen, Benjamin	Case# 2021-RCE-0252
V.	Oullette, Kimberly	Case# 2021-RCE-0232
W.	Page, Dennis	Case# 2021-RCE-0219
X.	Pawlowic, Rhonda	Case# 2021-RCE-0065
Y.	Pelayo, Edgar	Case# 2021-RCE-0120
Z.	Perez, Stephanie	Case# 2021-RCE-0127
AA.	Perry, Steven	Case# 2021-RCE-0231
BB.	Petersen, Stacey	Case# 2021-RCE-0114
CC.	Phan, Jonathan	Case# 2021-RCE-0083
DD.	Rich, Susan	Case# 2021-RCE-0079
EE.	Rivera, Mario	Case# 2021-RCE-0107
FF.	Rivera, Rebecca	Case# 2021-RCE-0041
GG.	Robello, Stella	Case# 2021-RCE-0067
HH.	Robinson, Jennifer	Case# 2021-RCE-0121
II.	Robles, Kari	Case# 2021-RCE-0042
JJ.	Roeder, Vicki	Case# 2020-RCE-0116
KK.	Romo, Diana	Case# 2021-RCE-0125
LL.	Rozelle, Dilorom	Case# 2021-RCE-0015
MM.	Saczalski, Curtis	Case# 2021-RCE-0085
NN.	Sainjusmat, Diarline	Case# 2021-RCE-0242
OO.	Sayegh, Odeh	Case# 2021-RCE-0213
PP.	Sandole, Jacqueline	Case# 2021-RCE-0023
QQ.	Sedillos, Cynthia	Case# 2021-RCE-0170
RR.	Shea, Haydn	Case# 2021-RCE-0118
SS.	Sink, Jessica	Case# 2021-RCE-0164
TT.	Skaggs, Rick	Case# 2021-RCE-0039
UU.	Smith, Kelly	Case# 2021-RCE-0034
VV.	Soucy, Mark	Case# 2021-RCE-0122
WW.	Suding, Doreen	Case# 2021-RCE-0109
XX.	Tulao, Jose	Case# 2021-RCE-0048
YY.	Valdez, Miguel	Case# 2021-RCE-0210
ZZ.	Varela, Joe	Case# 2021-RCE-0166

AAA. Verdine, Gregory	Case# 2021-RCE-0101
BBB. Watzek, Eleta	Case# 2021-RCE-0102
CCC. Werley, Grace	Case# 2021-RCE-0068
DDD. Wilkerson, Jaclyn	Case# 2021-RCE-0073
EEE. Woodward, Edward	Case# 2021-RCE-0116
FFF. Yoder, Kimberly	Case# 2020-RCE-0124
GGG. Zabala, Joshua	Case# 2020-RCE-0125

MOTION: Board Member Crawford to Complete and submit the required/deficiency in Continuing Education hours within 30 days. Failure to do so the licensee will be required to go before the Board. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

3. INITIAL REVIEW, CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT:

A. Fairchild, Ken 2021-RCE-0201
 Chairman Cagan announced the case. RCP Fairchild was/was not present. Jack Confer reviewed the allegations for the Board Members

MOTION: Board Member Crawford to Postpone until the March 17th Board Meeting. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

B. Hicks, Cindy 2021-RCE-0147
 Chairman Cagan announced the case. RCP Hicks was/was not present. Jack Confer reviewed the allegations for the Board Members

MOTION: Board Member Crawford to Postpone until the March 17th Board Meeting. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

C. Knorr, Christopher 2021-RCE-0143
 Chairman Cagan announced the case. RCP Knorr was/was not present. Jack Confer reviewed the allegations for the Board Members

MOTION: Board Member Crawford to Postpone until the March 17th Board Meeting. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

D. Linton, Steven 2021-RCE-0145
 Chairman Cagan announced the case. RCP Linton was/was not present. Jack Confer reviewed the allegations for the Board Members

MOTION: Board Member Crawford to Issue a letter of concern for unprofessional conduct 32-3501 (9) (G). Seconded by Board Member Dr. Easley

ROLL CALL VOTE: Motion passed (4-0).

E. McCarley, Cory 2021-RCE-0223
Chairman Cagan announced the case. RCP McCarley was/was not present. Jack Confer reviewed the allegations for the Board Members

MOTION: Board Member Crawford to Move to March 17th Board Meeting. Seconded by Board Member Dr. Easley

ROLL CALL VOTE: Motion passed (4-0).

F. Moore, Ryan 2021-RCE-0149
Chairman Cagan announced the case. RCP Moore was/was not present. Jack Confer reviewed the allegations for the Board Members

MOTION: Board Member Crawford to Move to March 17th Board Meeting. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

G. Peterson, Gregory 2021-RCE-0152
Chairman Cagan announced the case. RCP Peterson was/was not present. Jack Confer reviewed the allegations for the Board Members

MOTION: Board Member Crawford to Dismiss. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

H. Ray, Jeremy 2021-RCE-0192
Chairman Cagan announced the case. RCP Ray was/was not present. Jack Confer reviewed the allegations for the Board Members

MOTION: Board Member Crawford to Move to March 17th Board Meeting. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

I. Stratton, Jr., John 2021-RCE-0141
Chairman Cagan announced the case. RCP Stratton was/was not present. Jack Confer reviewed the allegations for the Board Members

MOTION: Board Member Crawford to Offer Disciplinary Consent Agreement with a \$50 civil penalty per shift worked without a license. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

J. Stuart, Justine 2021-RCE-0195
Chairman Cagan announced the case. RCP Stuart was/was not present. Jack Confer reviewed the allegations for the Board Members

MOTION: Board Member Crawford to Move to March 17th Board Meeting. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

K. Toledo, Sherri 2021-RCE-0231
Chairman Cagan announced the case. RCP Toledo was/was not present. Jack Confer reviewed the allegations for the Board Members

MOTION: Board Member Crawford to Require Additional Records/Continue Investigation. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

L. Vargas Acevedo, Enriquez, 2021-RCE-0197
Chairman Cagan announced the case. RCP Vargas Acevedo was/was not present. Jack Confer reviewed the allegations for the Board Members

MOTION: Board Member Crawford to Further Investigation/Requires further information. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

M. Westgate, James 2021-RCE-0138
Chairman Cagan announced the case. RCP Westgate was/was not present. Jack Confer reviewed the allegations for the Board Members

MOTION: Board Member Crawford to Letter of Concern/Failure to report incident within the required 10 days. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

O. Wilson, Christina 2019-RCE-0044
Chairman Cagan announced the case. RCP Wilson was/was not present. Jack Confer reviewed the allegations for the Board Members

MOTION: Board Member Crawford to Move to March 17th Board Meeting. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

E. REVIEW, CONSIDERATION AND POSSIBLE TERMINATION OF PRIOR ORDER

1. Reed, Parker Case# 2020-RCE-0071
Board Chairman Cagan announced the case. RCP Reed was/was not present. Jack Confer reviewed the allegations for the Board Members

MOTION: Board Member Crawford to Grant Request to terminate Probation Order. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

2. Wells, Jordan Case# 2019-RCE-0302
Board Chairman Cagan announced the case. RCP Wells was/was not present. Jack Confer reviewed the allegations for the Board Members

MOTION: Board Member Crawford to Grant Request to terminate Probation Order. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

3. Brodeur, Skye Case# 2019-RCE-0135
Board Chairman Cagan announced the case. RCP Brodeur was/was not present. Jack Confer reviewed the allegations for the Board Members

MOTION: Board Member Crawford to Grant Request to terminate Probation Order. Seconded by Board Member Dr. Easley.

ROLL CALL VOTE: Motion passed (4-0).

F. BOARD ELECTIONS:

Pursuant to A.R.S. § 32-3503 (A), the Board shall meet in February of each year to elect a chairman and other officers.

MOTION: Board Members to Offer Chairman to Tracy Cagan, Tracy Cagan Accepted Chairman. Seconded By Board Member Dr. Easley.

Roll Call Vote: (3-0)

MOTION: Board Members to Offer Vice Chairman to Alan Crawford, Alan Crawford Accepted Vice Chairman. Seconded By Board Member Dr. Easley.

Roll Call Vote: (3-0)

G. DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT

Updates were given by John Confer and Kathy Stone, Licensing Administrator

1. Application, Investigation & Probation Reports (Board Update & Status)
2. FY22 Budget Status
3. Customer Satisfaction Survey Summary
4. Review, Discussion & Possible Vote & Ratification of Proposed Policy & Procedure on the Board's Enforcement Matrix for Continuing Education Audits
5. Issuing Non-Disciplinary Order for Continuing Education.

MOTION: Board Member Crawford to issue Non-Disciplinary Order licensees must complete remaining CEUs within 30 days, Failure to comply will result in licensee going before to Board. Seconded by Board Member Dr. Easley

Roll Call Vote: (4-0)

H. SUMMARY OF CURRENT EVENTS THAT AFFECT THE ARIZONA BOARD OF RESPIRATORY CARE EXAMINERS (THIS IS THE TIME FOR THE BOARD CHAIR, BOARD MEMBERS OR STAFF TO GIVE A BRIEF SUMMARY OF CURRENT UPDATES AFFECTING THE BOARD)

None.

I. CALL TO THE PUBLIC

None.

J. ITEMS TO BE PLACED ON A FUTURE AGENDA

Removing Continuing Education Units from renewal process.

K. ADJOURNMENT

Chairman Cagan adjourned the meeting at 12.56PM.

DATED this 17th day of February 2022.



Dr. Charles Villafranca, Executive Director

